

UNAPPROVED
6-20-04

MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, APRIL 22, 2004

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:25 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Alcorn announced that a public workshop on the implementation of residential development criteria would be held as part of the regular Commission meeting on May 6, 2004 at 8:15 p.m. in the Board Auditorium.

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Chairman Murphy noted that a memorandum had been distributed from Barbara Lippa, Executive Director of the Planning Commission Office, requesting volunteers for the Planning Commission's soda stand at the 23rd Annual Fairfax County Fair scheduled for June 11-13, 2004. He asked that sign-up forms be returned to Ms. Lippa no later than Thursday, May 6, 2004.

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ORDER OF THE AGENDA

Chairman Murphy announced that on the agenda tonight was a public hearing on amendments to the Zoning Ordinance, the Subdivision Ordinance, and the Public Facilities Manual on Cluster Subdivisions. He noted that a public workshop on this matter would be held on May 3, 2004 at 7:00 p.m., in Conference Rooms 2 and 3 of the Government Center; the Planning Commission's

markup on these amendments would be held on May 13; and the Board of Supervisors' public hearing would be held on May 24, 2004 at 3:30 p.m.

This order was accepted without objection.

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ZONING/SUBDIVISION ORDINANCE AMENDMENTS (Cluster Subdivisions) – To amend Chapter 112 (the Zoning Ordinance) and Chapter 101 (the Subdivision Ordinance) as follows: Allows consideration of four cluster subdivision options as follows: (1) cluster subdivisions with special exception approval and a bonus density in the R-C and R-E Districts and with administrative approval in the R-1, R-2, R-3 and R-4 Districts (Staff Recommendation); (2) cluster subdivisions with administrative approval in the R-C through R-4 Districts with up to a 25 foot wide landscaped buffer within the cluster subdivision and at its perimeter (All By Right Option with Perimeter Buffer); (3) cluster subdivisions with administrative approval in the R-C through R-4 Districts with increased lot area and lot width requirements for certain lots located on the peripheral boundary of the cluster subdivision (All By Right Option with Larger Peripheral Lot Sizes); or, (4) cluster subdivisions with special exception approval and a bonus density in the R-C through R-4 Districts (All Special Exception Option).

Any of the foregoing options or combinations thereof may be approved and may include the following Zoning Ordinance provisions: (1) allows cluster subdivisions that were approved by special exception approval or proffered rezoning approval prior to July 1, 2004, to continue and be modified; (2) allows cluster subdivisions that were approved by the Director prior to October 20, 1987, to continue; (3) prohibits the approval of a cluster subdivision through a rezoning or special exception process after July 1, 2004, except for a proffered rezoning for a cluster subdivision to a district that allows a greater density; (4) prohibits the approval of a proffered rezoning from the R-1 through R-8 Districts to the respective PDH District of the equivalent density for the development of a single family detached subdivision; (5) increases the minimum district size requirement in the R-C through R-2 Districts; (6) decreases the minimum district size requirement in the R-E through R-4 Districts; (7) adds a minimum interior lot width requirement and increases the minimum corner lot width requirement for certain cluster subdivision lots in the R-C through R-4 Districts; (8) increases the minimum lot area requirement for certain cluster subdivision lots in the R-C through R-4 Districts; (9) increases the maximum allowable density within a cluster subdivision in the R-C through R-4 Districts by a range of 5% to 20%; (10) increases the minimum open space requirement in the R-E through R-4 Districts; (11) requires at least 75% of the minimum required open space or one acre, whichever is less, to have no dimension less than 50 feet and to be

located anywhere within the cluster subdivision; (12) excludes certain buffer areas from the minimum open space requirements; (13) prohibits any variances to the minimum district size, lot area, lot width, or open space requirements in the R-C through R-4 Districts; and (14) reduces the allowable encroachments into floodplains and Resource Protection Areas (RPAs).

Any of the foregoing options or combination thereof may be approved and may include the following Subdivision Ordinance provisions: (1) requires the designation of existing use and zoning classifications for parcels contiguous to the cluster subdivision on preliminary subdivision plat submissions; (2) expands the written notice requirements for preliminary subdivision plats to include project descriptions and the name, address, and telephone number of a representative of the applicant; (3) adds standards regarding open space, existing vegetation and tree preservation, lot location, utility location, and minor adjustments of property lines; and (4) prohibits waiver of any of the above-described standards.

Any of the foregoing options or combination thereof may be approved and may include provisions of the PFM that reduce the allowable encroachment into floodplains and RPAs. The proposed amendment options embody many new concepts. Following input from the public hearings, the proposed text may be revised. PUBLIC HEARING.

Regina Murray, Zoning Administration Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the proposed amendments.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

David Schnare, 9033 Brook Ford Road, Burke, representing the Occoquan Watershed Coalition, expressed support for Option 1 for cluster subdivisions in the R-C District.

Chairman Murphy submitted for the record a letter from Lawrence Hensle, President, Occoquan Watershed Coalition dated April 22, 2004, stating that the Coalition supported Option 1 for the R-C District because the law did not permit retention of the existing Ordinance requiring a public process and limiting the density to one residence per five acres.

on the proposed amendments. (A copy of this letter is in the date file.)

John Ulfelder, 9151 Old Dominion Drive, McLean, Great Falls Citizens Association, expressed general support for the proposed amendments. He recommended that applications for cluster subdivisions in the R-1 District require rezoning or special exception approval.

In response to a question from Chairman Murphy, Mr. Ulfelder said that the Citizens Association would continue to review the various approaches proposed by staff and provide written comments prior to the Planning Commission's decision on the proposed amendments.

Mr. Ulfelder responded to questions from Commissioners Alcorn, Wilson, and Hart about options for property in Great Falls zoned at a higher density than that recommended by the Comprehensive Plan, eliminating the option for cluster development in the R-C and R-E Districts, and property in the County zoned R-1 but planned at one to two dwelling units per acre.

Karen Harwood, Esquire, Deputy County Attorney, responded to questions from Commissioners Alcorn and Harsel about the possibility of eliminating cluster development in certain zoning districts.

Barbara Byron, Director, Zoning Evaluation Division, DPZ, responded to questions from Commissioner Harsel about the number of applications being filed requesting R-2 and R-3 cluster development compared to the number of applications requesting PDH zoning. Ms. Byron also responded to a question from Commissioner Harsel about the ability of developers to provide affordable dwelling units in PDH districts.

Mr. Ulfelder responded to a question from Commissioner Lawrence about the use of open space for the preservation of vistas, for protection of environmentally important features, and for recreation.

Pete Rigby, 14160 Newbrook Drive, Chantilly, representing the Northern Virginia Building Industry Association, said the proposed amendments would create an unworkable process that would defeat the purpose of the legislative requirements authorizing cluster by-right that they were designed to address. He expressed support for a cluster by-right option. (A copy of his remarks is in the date file.)

Ms. Murray responded to a question from Commissioner Harsel about Section 2-421 of the proposed Subdivision Ordinance amendment addressing approval of cluster subdivisions in the R-1, R-2, R-3, and R-4 Districts through the rezoning process.

Mr. Rigby responded to a question from Commissioner Hart about revising Section 2-903 addressing driveway access through a floodplain.

Mr. Rigby responded to questions from Commissioner Wilson about the ability, under the proposed amendments, to site a typical house on a lot when incorporating open space requirements.

Martin Schirmacher, 9534 Third Place, Lorton, representing the South County Federation, stated that the Federation supported the proposed amendments with a revision requiring special exception approval for R-1 cluster development with a minimum district size of 10 acres.

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There were no further speakers. The Commission had no further comments or questions and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Wilson for action on this item. (A verbatim excerpt is in the date file.)

Commissioner Wilson MOVED TO DEFER THE DECISION ONLY ON THE PROPOSED ZONING ORDINANCE, SUBDIVISION ORDINANCE, AND PUBLIC FACILITIES MANUAL AMENDMENTS ON CLUSTER SUBDIVISIONS TO A DATE CERTAIN OF MAY 13, 2004, WITH THE RECORD REMAINING OPEN.

Commissioners Hall and Byers seconded the motion which carried unanimously.

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The meeting was adjourned at 9:35 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on:

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission